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**OFFICE OF PETITIONS**

In re Application of  
Tetsuya Noguchi et al.  
Application No. 09/818,802  
Filed: March 27, 2001  
Attorney Docket No. JP920000026US1

ON PETITION

This is a decision on the petition to withdraw the holding of abandonment, filed May 18, 2007, and treated under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

The application was held abandoned on March 4, 2005, for failure to file a timely response to the non-Final Office Action mailed December 3, 2004. A three (3) month period for reply was set. Accordingly, a Notice of Abandonment was mailed on June 16, 2005.

Petitioner asserts that a proper response in the form of an amendment was filed on March 4, 2005. Submitted as proof is a copy of the response with a certificate of mail dated March 2, 2005.

A search of the application file and the USPTO records reveal that in fact, an amendment was timely filed on March 4, 2005. It appears though that the response was placed in an incorrect application file but is now properly matched with the instant application file and noted as having been timely filed.

Accordingly, the Notice of Abandonment mailed June 16, 2005 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged.

This matter is being referred to Technology Center 2137 for treatment of the response filed March 4, 2005 resubmitted with the instant petition.

Telephone inquiries concerning this matter may be directed to the undersigned  
Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions